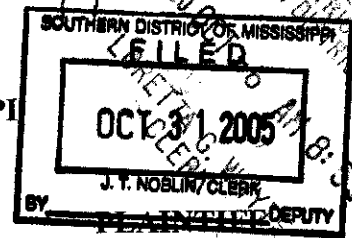


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION



WILLIE CLAYTON, JR.

VS.

CAUSE NO. 2:02CV929-CJB

Judge Barbier
Magistrate Judge Shushan
EDLA

SUNBEAM PRODUCTS, INC. a/k/a
SUNBEAM CORPORATION; and
AMERICAN CASUALTY COMPANY OF
READING, PENNSYLVANIA, INC.

DEFENDANTS

ORDER OF DISMISSAL WITH PREJUDICE

This case is before the Court on the *ore tenus* motion by the parties to have this case dismissed with prejudice because the claim has been settled. This claim arises out of the alleged bad faith refusal by defendants to pay a workers' compensation claim to Willie Clayton, Jr. This matter was stayed while the plaintiff, Willie Clayton, Jr., pursued his claim before the Mississippi Workers' Compensation Commission. The parties have advised the Court that the workers' compensation claim has been settled and that the settlement of the workers' compensation claim has been approved by the Mississippi Workers' Compensation Commission. The parties also advise the Court that the Mississippi Workers' Compensation Commission was advised of the terms and conditions of the settlement of this federal court action and that the Commission approved the settlement of the workers' compensation claim with full knowledge about the terms of the settlement of this case.

Having reviewed the file and being otherwise advised in the premises, the Court finds the motion is well taken and should be granted.

Fee _____
Process _____
X Dktd _____
✓ CtRmDep _____
Doc. No. _____

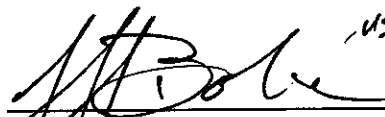
ACCORDINGLY, IT IS HEREBY ORDERED AND ADJUDGED that this action is hereby dismissed with prejudice with each side to bear their own costs.

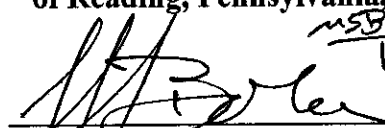
ORDERED AND ADJUDGED this the 4th day of October, 2005.


U.S. DISTRICT COURT JUDGE CARL J. BARBIER

APPROVED:


Otisa C. Strickland, Esq.
Attorney for Plaintiff Willie Clayton, Jr.

 *USB# 99986 by permission for*
John A. Banahan, Esq.
Attorney for American Casualty Company
of Reading, Pennsylvania, Inc.

 *USB# 99986 by permission for*
Robert H. Pedersen, Esq.
Attorney for Sunbeam Products, Inc. a/k/a
Sunbeam Corporation